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15992
U.S. PTO

PATENT

ATTORNEY DOCKET N°: PTG 02-121-5
EXPRESS MAIL LABEL N°: EV 380 207 588 US

CONTINUATION-IN-PART PATENT APPLICATION TRANSMITTAL LETTER

MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

17497 U.S. PTO
10/767214
012704

Transmitted herewith for filing is the patent application of:

INVENTORS:

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Melinda J. Hearn 804 Galaxy Drive Jackson, TN 38305 Citizen of United States		

Title: POWER TOOL CONTROL SYSTEM

CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this Continuation-In-Part Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, January 27, 2004 in an envelope as "Express Mail Post Office to Addressee", Mailing Label N° EV 380 207 588 US, with sufficient postage, addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Penny L. Flint
Penny L. Flint

DATED: January 27, 2004

1. Type of Application

This is a Continuation-In-Part Application.

2. Benefit of Prior U.S. Application(s) (35 U.S.C. §120)

<u>USSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>
10/744,612	12/23/03	Etter, et al.	Pending
10/632,559	07/31/03	Etter, et al.	Pending
10/463,206	06/16/03	Etter, et al.	Pending
10/445,290	05/21/03	Etter, et al.	Pending
10/413,455	04/14/03	Garcia, et al.	Pending

3. Benefit of Prior U.S. Application(s) (35 U.S.C. § 119(e))

<u>USPSN</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Status</u>
60/429,840	11/27/02	Garcia, et al.	Converted
60/414,200	09/27/02	DeKeyser, et al.	Converted
60/373,752	04/18/02	DeKeyser, et al.	Converted

4. Papers Enclosed That Are Required for Filing Date under 37 C.F.R. §1.53(b) (Regular) or 37 C.F.R. §1.153 (Design) Application

One-hundred thirty-four (134) Pages of Specification;
Eight (8) Pages of Claims;
One (1) Page of Abstract; and
One-hundred thirty-seven (137) Sheets of Drawing Figures.

5. Additional Papers Enclosed

Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) is attached.

6. Declaration or Oath

Unsigned Declaration and Power of Attorney is attached.

7. Inventorship Statement

The inventorship for all the claims in this application are the same.

8. Language

English.

9. Assignment

None.

10. Certified Copy

None are required.

11. Fee Calculation (37 C.F.R. §1.16)

BASIC FEE

Standard Fee	\$770.00				\$770.00
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EXCESS CLAIM FEE

TOTAL OVER TWENTY	30	-20	0	10	\$18.00	\$180.00
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INDEPENDENT OVER THREE	(4)	-3	0	1	\$86.00	\$86.00
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MULTIPLE DEPENDENT					\$290.00	\$0.00
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ASSIGNMENT RECORDATION FEE					\$40.00	\$0.00
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TOTAL FILING FEES						<u>\$1,036.00</u>
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12. Small Entity Status-Applicant does not request small entity status under 37 C.F.R. § 1.27.

13. Request for International - Type Search (37 C.F.R. §1.104(d))

None required.

NO FILING FEE IS BEING MADE AT THIS TIME.

This and the Surcharge Required by 37 C.F.R. §1.16(e) May Be Paid Subsequently.

Please direct all correspondence and telephone calls to:

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DATED: January 27, 2004.

Respectfully submitted,

Mark A. Etter et al.,
Delta International Machinery Corp.,

By 
R. Christopher Rueppell
Reg. № 47,045

This Transmittal Ends With This Page.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Mark A. Etter, et al.
Express Mail N^o : EV 380 207 588 US
Filed : January 27, 2004
For : **Power Tool Control System**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST AND CERTIFICATION
UNDER 35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Dated: January 27, 2004



R. Christopher Rueppell
Reg. N^o 47045
CUSTOMER N^o. 23531

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**